SINGLE BENCH

(1)

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 1260 OF 2006

PETITIONER

M/s. Shreyansh Industries, a company registered under the Indian Companies Act, 1956 , having its head office at Light Industrial Area ,Bhilai, Distt. Durg. Through its Director K.K.Jain Son of Late Shri U.C.K. Jain R/O MIG-C-482 Padamnabhpur, Durg.

P.R. No. 1324/06 A.K. Yadav
Presented on 9/3/06
dated

VERSUS

RESPONDENTS

Chhattisgarh State Electricity Board, through, Secretary. Chhattisgarh State Electricity Board, Raipur. Head Quarter, Dagania Raipur

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8/3/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF AN APPROPRIATE WRIT IN THE NATURE OF MANDAMUS / CERTIORARI ETC OR DIRECTION(S) / ORDER(S) IN THE LIKE NATURE ETC.

XI-HC-78

(65)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.1260/2006 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10.3.2006

W.P.No.1260/2006

Dr.N.K.Shukla, Sr. Advocate with Shri A.K.Yadav, counsel for the petitioner.

Heard on admission.

The grievance of the petitioner is that the NIT clearly mentions that some specified persons would be eligible to participate in the process of Tender but, many persons who are not holding the requisite qualifications according to the terms of the NIT are participating in the Tender.

Learned counsel for the petitioner submits that if the contract is granted in favour of such persons it shall frustrate the mandatory conditions mentioned in the NIT which are statutory in nature.

This may be the apprehension of the petitioner because according to learned counsel for the petitioner, the selection in the process of Tender has not taken place so far.

In view of this, in the opinion of this Court, this is a pre-mature petition on apprehension, which cannot be entertained under Article 226/227 of the Constitution of India at this stage.

The petition is summarily dismissed. However, the petitioner shall be at liberty to raise the legal grounds as and when the cause of action arises in his favour which may probably be only after award of work/contract to a person, to whom the petitioner would show that he is not competent to secure the work in

XI-HC-78

(66)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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	accordance with the rules or in accordance with the conditions of the Tender. With the aforesaid observations, the petitions stands disposed of. **Sd/-** **Sunil Kumar Sinha** **Judge**	